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THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent of

Kenichi ARAI et al.

: **Mail Stop: Petition**

Patent No. 6,897,054

:

Issued May 24, 2005

:

HUMAN H37 PROTEIN AND cDNA ENCODING
THE PROTEIN

THE COMMISSIONER IS AUTHORIZED
TO CHARGE ANY DEFICIENCY IN THE
FEE FOR THIS PAPER TO DEPOSIT
ACCOUNT NO. 23-0975.

PATENT OFFICE FEE TRANSMITTAL FORM

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Attached hereto is a check in the amount of \$130.00 to cover Patent Office fees relating to filing the following attached papers:

Petition \$130.00

A duplicate copy of this paper is being submitted for use in the Accounting Division, Office of Finance.

The Commissioner is authorized to charge any deficiency or to credit any overpayment associated with this communication to Deposit Account No. 23-0975, with the EXCEPTION of deficiencies in fees for multiple dependent claims in new applications.

Respectfully submitted,

Kenichi ARAI et al.

By Warren M. Cheek, Jr.
Warren M. Cheek, Jr.
Registration No. 33,367
Attorney for Patentee

WMC/dlk
WENDEROTH, LIND & PONACK, L.L.P.
2033 K St., N.W., Suite 800
Washington, D.C. 20006-1021
Telephone (202) 721-8200
August 29, 2005

[Check No. 69896]
2001_0531A



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent of

Kenichi ARAI et al. : **Mail Stop: Petition**

Patent No. 6,897,054 :

Issued May 24, 2005 : THE COMMISSIONER IS AUTHORIZED
HUMAN H37 PROTEIN AND cDNA
ENCODING THE PROTEIN TO CHARGE ANY DEFICIENCY IN THE
FEE FOR THIS PAPER TO DEPOSIT
ACCOUNT NO. 23-0975.

PETITION UNDER 37 CFR 1.183

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This is a Petition under 37 CFR 1.183 to correct the name of the Assignees identified in the above-identified patent.

The Petition fee of \$130.00 is enclosed.

It is hereby requested that 37 CFR 3.81(a) be waived to permit the correct names of the Assignees to be provided after issuance of the Patent.

The failure to include the correct Assignee names on the PTOL-85B form was inadvertent.

A copy of the Notice of Recordation of Assignment Document is enclosed supporting the correct names of the Assignees.

The Patent incorrectly indicates that the sole Assignee is Japan Science and Technology Agency. In fact, there are two additional Assignees whose names are omitted, which Assignees are Kenichi ARAI and Hisao MASAI.

Favorable consideration and action are solicited.

Respectfully submitted,

Kenichi ARAI et al.

By Warren Cheek Jr.
Warren M. Cheek, Jr.
Registration No. 33,367
Attorney for Patentee

WMC/dlk
Washington, D.C. 20006-1021
Telephone (202) 721-8200
Facsimile (202) 721-8250
August 29, 2005



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
ASSISTANT SECRETARY AND COMMISSIONER
OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

OCTOBER 05, 2001

PTAS

WENDEROTH, LIND & PONACK, L.L.P.
ATTN: WARREN M. CHEEK JR., ESQ.
2033 K STREET, N.W., SUITE 800
WASHINGTON, DC 20006-1021



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UNITED STATES PATENT AND TRADEMARK OFFICE
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 07/30/2001

REEL/FRAME: 012013/0092

NUMBER OF PAGES: 4

BRIEF: ASSIGNMENT OF ASSIGNEE'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNEE:

ARAI, KENICHI

DOC DATE: 05/25/2001

ASSIGNEE:

MASAI, HISAO

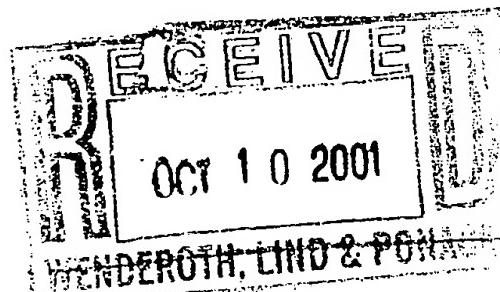
DOC DATE: 05/28/2001

ASSIGNEE:

JAPAN SCIENCE AND TECHNOLOGY
CORPORATION
1-8, HON-CHO 4-CHOME, KAWAGUCHI-
SHI, SAITAMA, JAPAN
SAITAMA, JAPAN

ASSIGNEE:

ARAI, KENICH
9-6-206, MEGURO 1-CHOME, MEGURO-KU
TOKYO, JAPAN



012013/0092 PAGE 2

ASSIGNEE:

MASAI, HISAO
SHANBOURU-MITA 620, MITA 5-7-8,
MINATO-KU
TOKYO, JAPAN

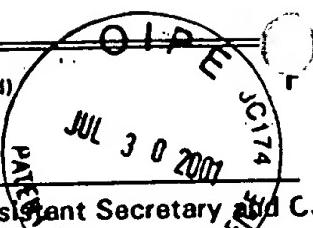
SERIAL NUMBER: 09830647
PATENT NUMBER:

FILING DATE: 07/30/2001
ISSUE DATE:

KIMBERLY WHITE, EXAMINER
ASSIGNMENT DIVISION
OFFICE OF PUBLIC RECORDS

08-02-2001

RECEIVED

U.S. DEPARTMENT OF COMMERCE
Patent and Trademark Office

101797925

Please record the attached original document(s)

To the Honorable Assistant Secretary and C.
or copy(ies) thereof.

1. Name of conveying party(ies):

Kenichi ARAI, Hisao MASAI

07/30/01

Additional name(s) of conveying party(ies) attached? No

3. Nature of conveyance:

- Assignment Merger
 Security Agreement Change of Name
 Other

Execution Date: May 25, 28, 2001

2. Name and address of receiving party(ies):

Name: Japan Science and Technology Corporation

Street Address: 1-8, Hon-cho 4-chome, Kawaguchi-shi, Saitama, Japan

City: Saitama, Country: Japan

Additional name(s) & address(es) attached? Yes

4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is:

A. Patent Application No.(s)
09/830,647, filed April 30, 2001B. Patent No.(s)
, issued

Additional numbers attached? No

5. Name and address of party to whom correspondence concerning document should be mailed:

6. Total number of applications and patents involved: 1

Name: WENDEROTH, LIND & PONACK, L.L.P.
Attn: Warren M. Cheek, Jr., Esq.

7. Total fee (37 CFR 3.41). \$40.00

Street Address: 2033 K Street, N.W., Suite 800
City: Washington, State: DC ZIP: 20006-1021 Enclosed (Check No. 45751)
Authorized to be charged to deposit account

8. Deposit account number: 23-0975

(Attach duplicate copy of this page if paying by deposit account)

DO NOT USE THIS SPACE

9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Warren M. Cheek, Jr., Reg. No. 33,367
Name of Person SigningWarren Cheek
SignatureJuly 30, 2001
Date

Total number of pages including cover sheet: 4

OMB No. 0651-0011 (exp. 4/94)

Do not detach this portion

Mail documents to be recorded with required cover sheet information:

Commissioner and Assistant Secretary of Patents and Trademarks

08/01/2001 GT0N11 00000222 09830647

Box Assignments

Washington, D.C. 20231

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Public burden reporting for this sample cover sheet is estimated to average about 30 minutes per document to be recorded, including time for reviewing the document and gathering the data needed, and completing and reviewing the sample cover sheet. Send comments regarding this burden estimate to the U.S. Patent and Trademark Office, Office of Information Systems, PK2-1000C, Washington, D.C. 20231, and the Office of Management and Budget, Paperwork Reduction Project (0651-0011), Washington, D.C. 20503.

2) Name: Kenichi ARAI

Street Address: 9-6-206, Meguro 1-chome, Meguro-ku

City: Tokyo, Country: Japan

3) Name: Hisao MASAI

Street Address: Shanbouru-Mita 620, Mita 5-7-8, Minato-ku

City: Tokyo, Country: Japan

ASSIGNMENT

In consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration paid to each of the undersigned

Insert Name(s)
of Inventor(s)

Kenichi ARAI and Hisao MASAI

the undersigned hereby sell(s) and assign(s) to

(1) JAPAN SCIENCE AND TECHNOLOGY CORPORATION (2) Kenichi ARAI (3) Hisao MASAI

Insert Name(s)
of Assignee(s)

of (1) 1-8, Hon-cho 4-chome, Kawaguchi-shi, Saitama, Japan (2) 9-6-206, Meguro 1-chome,
Meguro-ku, Tokyo, Japan (3) Shanbouni-Mita 620, Mita 5-7-8, Minato-ku, Tokyo, Japan

Title of
Invention

(hereinafter designated as the Assignee) the entire right, title and interest for the United States as defined in 35 USC 100, in the invention known as

HUMAN H37 PROTEIN AND cDNA ENCODING THE PROTEIN

Date of Signing
of Application

for which an application for patent in the United States has been executed by the undersigned

on May 25, 28, 2001

The undersigned agree(s) to execute all papers necessary in connection with this application and any continuing, divisional or reissue applications thereof and also to execute separate assignments in connection with such applications as the Assignee may deem necessary or expedient.

The undersigned agree(s) to execute all papers necessary in connection with any interference which may be declared concerning this application or continuation, division or reissue thereof and to cooperate with the Assignee in every way possible in obtaining evidence and going forward with such interference.

The undersigned agree(s) to execute all papers and documents and perform any act which may be necessary in connection with claims or provisions of the International Convention for Protection of Industrial Property or similar agreements.

The undersigned agree(s) to perform all affirmative acts which may be necessary to obtain a grant of a valid United States patent to the Assignee.

The undersigned hereby authorize(s) and request(s) the Commissioner of Patents to issue any and all Letters Patents of the United States resulting from said application or any division or divisions or continuing or reissue applications thereof to the said Assignee, as Assignee of the entire interest, and hereby covenants that he has (they have) full right to convey the entire interest herein assigned, and that he has (they have) not executed, and will not execute, any agreement in conflict herewith.

The undersigned hereby grant(s) the firm of WENDEROTH, LIND & PONACK, L.L.P., 2033 K Street, N.W., Suite 800, Washington, D.C. 20006-1021, the power to insert on this assignment any further identification which may be necessary or desirable in order to comply with the rules of the United States Patent Office for recordal of this document.

In witness whereof, executed by the undersigned on the date(s) opposite the undersigned name(s).

Date May 25, 2001

Kenichi Arai

Kenichi ARAI

Date May 28, 2001

Hisao Masai

Hisao MASAI

Date _____

Date _____

Date _____

Date _____

(This assignment should preferably be acknowledged before a United States Consul. If not, then the execution by the Inventor(s) should be witnessed by at least two witnesses who sign here.)

Witness _____

Witness _____

ACKNOWLEDGMENT

_____ }

ss

This _____ day of _____, 19____, before me personally came the
above-named _____ to me personally known as
the individual(s) who executed the foregoing assignment, who did acknowledge to me that he (they) executed the same of
his (their) own free will for the purposes therein set forth.

Official Signature

SEAL

Official Title

The above application may be more particularly identified as follows:

U.S. Application Serial No. _____ Filing Date April 30, 2001

Applicant Reference Number 99-F-031PCT-US/YS Atty Docket No. 2001_0531A

Title of Invention HUMAN H37 PROTEIN AND cDNA ENCODING THE PROTEIN